



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

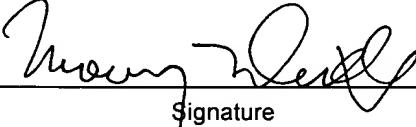
## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on October 20, 2006

Date



Signature

Morey B. Wildes

Typed or printed name of person signing Certificate

36,968

(212) 736-1940

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Re.: Docket No.: 209.1001

Applicant(s): Stuart D. Baker, et al.

Serial No.: 09/825,431

Invention: PRIVILEGED COMMUNICATION SYSTEM WITH ROUTING CONTROLS

Filing Date: April 3, 2001

- Petition For Revival of an Application Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) (2 pages);
- Response to Notice of Improper Request for Continued Examination (2 pages);
- Amendment After RCE (15 pages); and
- check for \$750.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Application of: Stuart D. Baker, et al.  
 Serial No.: 09/825,431  
 Filed: April 3, 2001  
 For: **PRIVILEGED COMMUNICATION SYSTEM  
WITH ROUTING CONTROLS**  
 Examiner: Paul H. Nguyen Ba  
 Art Unit: 2176

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

October 20, 2006

**RESPONSE TO NOTICE OF IMPROPER RCE**

SIR:

On October 13, 2006, the U.S. Patent and Trademark Office mailed a Notice of Improper Request for Continued Examination (RCE) stating that the RCE that was filed on September 11, 2006 in connection with the above-identified patent application was improper because it was not accompanied by a submission as required by 37 C.F.R. § 1.114, and that, since this application is not under appeal, the time period set forth in the final Office Action continues to run from the mailing date of that action.

Applicants note that the mailing date of that final Office Action was March 6, 2006, such that the time period for response expired on September 6, 2006. On September 6, 2006, Applicants mailed the RCE along with a Petition for Three-Month Extension of Time. Accordingly, because the RCE filed was improper, this application will be considered to have been abandoned on September 6, 2006, even though Applicants have not yet received a Notice of Abandonment.

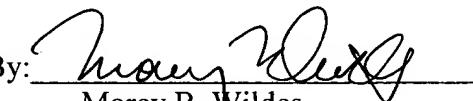
Applicants herewith submit a Petition For Revival of an Application Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) and state (1) that the failure to file the submission as required by 37 C.F.R. § 1.114 along with the RCE on September 6, 2006 was unintentional, and (2) that the entire delay in filing the submission as required by 37 C.F.R. § 1.114 from the September 6, 2006 due date until today, the date of filing of a grantable petition under 37 C.F.R. § 1.137(b), was unintentional. Applicants also herewith submit the submission as required by 37 C.F.R. § 1.114, namely an Amendment After RCE.

This Response and the enclosed Petition For Revival and Amendment After RCE are being submitted now, even though no Notice of Abandonment has yet been issued by the USPTO, in order to expedite the handling of this application.

Reconsideration of the present application, as amended, is requested. If, upon review, the Examiner is unable to issue an immediate Notice of Allowance, the Examiner is respectfully requested to telephone Applicant's undersigned attorney at the number set forth below in order to resolve any outstanding issues and advance the prosecution of the case.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By:   
Morey B. Wildes  
Reg. No. 36,968

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, NY 10018  
(212) 736-1940